

REMARKS

Applicants have carefully reviewed and considered the Final Office Action mailed on October 24, 2006, and the references cited therewith.

Applicants have canceled claims 22-30; as a result, claims 1-21 are now pending in the application. Additionally, Applicants have amended claims 1-6, 8-10, 13-16 and 18 to address formal matters, such as lack of antecedent basis, and to clarify the language of the claims. No new matter has been added by these amendments.

Claim Rejections – 35 U.S.C. § 103

In the Final Office Action, claims 22-30 were rejected under 35 U.S.C. § 103(a) as being obvious over *Cesari* (U.S. Patent 5,844,947) in view of *Schwartz: Information, Transmission Modulation, and Noise*, 1990, McGraw-Hill, Fourth Edition, pages 112-120.

Applicants have canceled claims 22-30. These claims have been canceled without prejudice to the filing of a continuing application. Because claims 22-30 have been canceled, the rejection of those claims is moot and should be withdrawn.

Allowable Subject Matter

In the Final Office Action, claims 1-21 are indicated as being allowed. Applicants respectfully thank the Examiner for this indication of allowance. Applicants respectfully request that the Examiner enter the foregoing amendments, which are directed to matters of form, and issue a notice of allowance for claims 1-21.

Conclusion

Applicants respectfully submit that the pending claims are in condition for allowance and earnestly request notification to that effect. The Examiner may telephone Applicants' attorney (360-554-8042) to facilitate prosecution of this application.


If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3521.

Respectfully submitted,

Brake Hughes PLC
Customer Number 57426
360-554-8042

Date: January 24, 2007

By


Paul W. Churilla
Reg. No. 47,495

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 24th day of January, 2007.


Shellie Bailey